

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

EUGENE HUMBERT #272728

Plaintiff,

CASE NO. 03-CV-73204

v

HON. DENISE PAGE HOOD

AARON COBB, *et al*,

MAGISTRATE R. STEVEN WHALEN

Defendants.

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**ORDER ACCEPTING REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate R. Steven Whalen's Report and Recommendation dated January 5, 2006. To date, no objections have been filed to the Report and Recommendation.

The Court has had an opportunity to review the matter and finds that the Magistrate Judge reached the correct conclusion for the proper reasons. The Court agrees with the Magistrate Judge that Defendants are entitled to an award of taxable costs in the amount of \$39.80, (thirty nine dollars and eighty cents) pursuant to Fed. R. Civ. P. 54(d), 28 U.S.C. §§ 1920, 1923 and the Bill of Costs Handbook of the United States District Court for the Eastern District of Michigan and that the fees be deducted from Plaintiff's account pursuant to PD 04.02.105 if Defendants are unable to collect the fees.

Accordingly,

IT IS ORDERED that Magistrate Judge Whalen's Report and Recommendation dated January 5, 2006 is ACCEPTED and ADOPTED as this Courts findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendants' Motion to Tax Costs (**Docket No. 30**,

**filed April 4, 2005)** is granted in the amount of \$39.80, thirty-nine dollars and eighty cents.

DATED: February 7, 2006

/s/ Denise Page Hood  
DENISE PAGE HOOD  
United States District Judge